

This Draft Environmental Impact Report (DEIR or Draft EIR) was prepared in accordance with the California Environmental Quality Act (CEQA), the State CEQA Guidelines, and San Luis Obispo County's local CEQA Guidelines. The County of San Luis Obispo (County) is the Lead Agency for the environmental review of the Conservation and Open Space Element Consolidation and Update (COSE Consolidation and Update or proposed project) evaluated herein and has the principal responsibility for approving the project. This DEIR assesses the expected environmental impacts resulting from adoption and subsequent implementation of the proposed project.

### 1.1 PURPOSE OF THE EIR

The County, acting as the Lead Agency, prepared this Draft EIR to provide the public and responsible trustee agencies with information about the potential environmental effects of the proposed COSE Consolidation and Update of the San Luis Obispo County General Plan. As described in the State CEQA Guidelines Section 15121(a), an EIR is a public informational document that 1) assesses potential environmental effects of the proposed project, and 2) identifies alternatives and mitigation measures to the proposed project that could reduce or avoid its adverse environmental impacts. Public agencies are charged with the duty to consider and minimize environmental impacts of proposed projects where feasible, and an obligation to balance a variety of public objectives, including economic, environmental, and social factors.

CEQA requires the preparation of an environmental impact report (EIR) prior to approving any project, which may have a significant effect on the environment. For the purposes of CEQA, the term "project" refers to the whole of an action, which has the potential for resulting in a direct physical change or a reasonably foreseeable indirect physical change in the environment (State CEQA Guidelines Section 15378(a)). With respect to the proposed COSE Consolidation and Update, the County has determined that the proposed plan is a "project" within the definition of CEQA.

### 1.2 KNOWN RESPONSIBLE AND TRUSTEE AGENCIES

For the purpose of CEQA, the term "Trustee Agency" means a state agency having jurisdiction by law over natural resources affected by a project, which are held in trust for the people of the State of California. Specifically, the following agencies may have an interest in the implementation of the COSE Consolidation and Update and may be a Trustee Agency for the proposed project:

- California Department of Fish and Game, Region 4
- State Lands Commission
- California Department of Parks and Recreation

In CEQA, the term "Responsible Agency" includes all public agencies other than the Lead Agency that may have discretionary actions associated with the implementation of the COSE Consolidation and Update or an aspect of the project. Since potential future implementation decisions may occur many years from now when this element of the General Plan is in common use, they cannot be known with certainty. However, based on the potential for the following agencies to have a role in the implementation of the COSE, they are identified as potential Responsible Agencies:

- San Luis Obispo Air Pollution Control District
- California Department of Conservation

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- California Department of Forestry/ SLO County Fire Department
- California Division of Mines and Geology
- California Department of Parks and Recreation
- California Department of Water Resources
- California Integrated Waste Management Board
- California Public Utilities Commission
- California State Lands Commission
- California Transportation Commission
- Caltrans District 5, Environmental Planning and Engineering
- Caltrans, Division of Aeronautics
- Central Coast Regional Water Quality Control Board, Region 3
- City of Arroyo Grande
- City of Atascadero
- City of Grover Beach
- City of Paso Robles
- City of Pismo Beach
- City of San Luis Obispo
- Local Agency Formation Commission of San Luis Obispo County
- U.S. Army Corps of Engineers
- U.S. Bureau of Land Management
- U.S. Bureau of Reclamation
- U.S. Environmental Protection Agency
- U.S. Fish and Wildlife Service

### 1.3 TYPE OF DOCUMENT

The CEQA Guidelines identify several types of EIRs, each applicable to different project circumstances. This EIR has been prepared as a Program EIR pursuant to State CEQA Guidelines Section 15168. Program EIRs are defined by the CEQA Guidelines (Section 15168) as:

*A Program EIR is an EIR, which may be prepared on a series of actions that can be characterized as one large project and are related either:*

- (1) Geographically,*
- (2) A logical parts in the chain of contemplated actions,*
- (3) In connection with issuance of rules, regulations, plans or other general criteria to govern the conduct of a continuing program, or*
- (4) As individual activities carried out under the same authorizing statutory or regulatory authority and having generally similar environmental effects which can be mitigated in similar ways.*

The program level analysis considers the broad environmental effects of the overall proposed COSE Consolidation and Update. This EIR will be used to evaluate subsequent projects (public and private) under the proposed COSE Consolidation and Update consistent with CEQA and the State CEQA Guidelines. When individual projects or activities subject to this Element are proposed, the County would be required to examine the projects or activities to determine whether their effects were adequately analyzed in the EIR. Should projects or activities have no effects beyond those analyzed in this EIR, no further CEQA compliance would be required.

## **1.4 HOW TO USE THIS EIR**

This EIR is intended to evaluate the environmental impacts of adoption and implementation of the COSE Consolidation and Update. As discussed above in Subsection 1.3, this document is a Program EIR. A Program EIR, prepared in connection with a plan or continuing program such as a local general plan element, necessarily deals with issues on a level of broad generalities, and due to the nature of the project, is not as detailed as an EIR for a specific development project. The program-level analysis addresses the probable environmental impacts of basic policies and programs, general cumulative effects, and programmatic mitigation measures and alternatives.

The proposed project consists of consolidating and updating five existing elements of the San Luis Obispo General Plan into a single Conservation and Open Space Element (COSE). The COSE Consolidation and Update is intended to better protect and preserve the county's natural and open space resources by making the document easier to use, incorporating strategies reflective of the County's vision and adding or expanding policies to better address contemporary environmental issues such as smart or strategic growth and climate protection. The project is intended to increase protection of the county's natural resources consistent and within the framework of the Existing General Plan. Thus, the COSE Consolidation and Update does not induce or accommodate additional growth or development beyond that which is already envisioned under the General Plan.

The environmental impacts of such an update are assessed at a "program" level of detail that is conceptual and general, because site-specific development plans or other project-level details are not a component of the proposal. As a result, this document does not accommodate individual project approvals. Rather, the Program EIR is intended to serve as a first tier environmental document for future projects in accordance with the COSE. As future projects are proposed in accordance with the COSE, additional project-level environmental review pursuant to CEQA may be required.

## **1.5 SCOPE AND ORGANIZATION**

This DEIR includes all notices and other procedural documents pertinent to the EIR, as well as all technical material prepared to support the analysis. Sections 15122 through 15132 of the State CEQA Guidelines identify the content requirements for Draft and Final EIRs. An EIR must include a description of the environmental setting, an environmental impact analysis, mitigation measures, cumulative impacts, alternatives, significant irreversible environmental changes, and growth-inducing impacts.

The environmental issues addressed in this Draft EIR were established through review of environmental documentation developed for the project, environmental documentation for nearby projects, agency consultation, and review of the project and responses to the Notice of Preparation (NOP).

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This Draft EIR includes an Executive Summary, eight sections, and appendices. The purpose of each section is as follows:

### EXECUTIVE SUMMARY

The Executive Summary (State CEQA Guidelines Section 15123) includes a summary of the EIR, a table that summarizes each of the significant impacts of the proposed project, mitigation measures for each significant impact where feasible, and the level of significance of each impact after mitigation. It also includes a summary project description, summary of other alternatives, and a discussion of any unresolved planning issues.

### SECTION 1.0 – INTRODUCTION

Section 1.0 provides an introduction and overview describing the intended use of the EIR and the review and certification process.

### SECTION 2.0 – PROJECT DESCRIPTION

A project description that provides the appropriate level of information necessary for the evaluation and review of environmental impacts is required under CEQA (State CEQA Guidelines Section 15124). The “project” analyzed in this EIR is the COSE Consolidation and Update. This section includes a description of the proposed project location and geographic characteristics of the project area; background and history of the Element Update process; objectives of the COSE Consolidation and Update; a general description of the project’s technical, economic, and environmental characteristics; intended uses of the EIR; and the discretionary actions associated with the COSE Consolidation and Update.

### SECTION 3.0 - ENVIRONMENTAL SETTING, IMPACTS AND MITIGATION MEASURES

Section 3.0 contains an analysis of environmental topic areas as identified through the scoping process of the EIR. Each section contains a description of the existing setting, provides a summary of the regulatory environment, identifies project-related impacts, summarizes policies within the proposed COSE Consolidation and Update that provide mitigation for any identified potential impacts and, if necessary, recommends mitigation measures to reduce remaining potentially significant and significant environmental impacts.

Wherever possible, this EIR references specific COSE goals, policies, and implementation strategies that will serve to mitigate the impacts of implementation of the COSE. The COSE was prepared with environmental factors in mind, and is intended to be “self mitigating” to the extent possible. The following major environmental topics are addressed in this section:

- Aesthetics/Visual Resources
- Agricultural Resources
- Air Quality and Climate Change
- Biological and Natural Resources
- Cultural and Paleontological Resources
- Geology and Soils
- Hydrology/Water Quality

- Land Use and Planning
- Public Services and Utilities
- Traffic

This section also provides a summary of Effects Found Not to be Significant (No Impact).

#### **SECTION 4.0 - CUMULATIVE IMPACTS SUMMARY**

Section 4.0 discusses the cumulative impacts associated with the proposed project (i.e. the COSE Consolidation and Update when combined with other past, present, and future projects that are reasonably foreseeable).

#### **SECTION 5.0 – PROJECT ALTERNATIVES**

CEQA Guidelines Section 15126.6 requires that an EIR describe a range of reasonable alternatives to the project, which could feasibly attain the basic objectives of the project and avoid and/or lessen the environmental effects of the project. A comparative analysis of these alternatives is contained within this chapter. The determinations of the County of San Luis Obispo concerning the feasibility, acceptance, or rejection of each and all alternatives considered in this EIR will be addressed in the County's findings, as required by CEQA.

#### **SECTION 6.0 – OTHER SECTIONS REQUIRED BY CEQA**

This section contains discussions and analysis of various topical issues mandated by State CEQA Guidelines Section 15126.2. These include significant environmental effects that cannot be avoided, significant irreversible environmental changes, and growth inducing impacts if the proposed project is implemented.

#### **SECTION 7.0 – REPORT PREPARERS AND REFERENCES**

This section provides a list of persons responsible for the EIR preparation and a list of materials used and persons contacted in its development.

#### **SECTION 8.0 – ACRONYMS AND GLOSSARY**

This section provides a list of acronyms and a glossary for ease of understanding throughout the document.

#### **APPENDICES**

Includes Appendix A: Notice of Preparation (NOP) and responses and Appendix B: Mitigation Monitoring and Reporting Program, which lists all mitigation required for the project and a monitoring and reporting program for implementation by the Lead Agency.

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### 1.6 ENVIRONMENTAL REVIEW PROCESS

The review and certification process for the EIR will involve the following general procedural steps:

#### NOTICE OF PREPARATION

In accordance with Section 15082 of the CEQA Guidelines, the County prepared a Notice of Preparation (NOP) of an EIR for the project on March 17, 2008. The County was identified as the Lead Agency for the proposed project. This notice was circulated to the public, local, state, and federal agencies and other interested parties to solicit comments on the proposed project. The County held scoping meetings on March 6, 2008 in Paso Robles (North County) and March 13, 2008 in Arroyo Grande (South County) to receive comments. Concerns raised in response to the NOP were considered during preparation of the Draft EIR. The NOP and responses by interested parties are presented in **Appendix A**.

#### DRAFT EIR AND PUBLIC NOTICE/PUBLIC REVIEW

This document constitutes the Draft EIR. The Draft EIR contains a description of the project, description of the environmental setting, identification of project impacts, and mitigation measures for impacts found to be significant, as well as an analysis of project alternatives. Upon completion of the Draft EIR, the County will file the Notice of Completion (NOC) with the Governor's Office of Planning and Research to begin the public review period (Public Resources Code, Section 21161).

Concurrent with the NOC, the County will provide public notice of the availability of the DEIR for public review, and invite comment from the public, agencies, organizations, and other interested parties. The public review and comment period will be no less than forty-five (45) days. Public comment on the DEIR will be accepted both in written form and orally at public hearings on the project. Notice of the time and location of the hearing will be published prior to the hearing. Comments will also be accepted via an online comment form at the website listed below. All comments or questions regarding the Draft EIR should be addressed to the County as noted below.

James Caruso, Project Manager  
San Luis Obispo Department of Planning and Building  
County Government Center  
San Luis Obispo, CA 93408  
[www.slocounty.ca.gov](http://www.slocounty.ca.gov)  
Email: [jcaruso@co.slo.ca.us](mailto:jcaruso@co.slo.ca.us)

#### RESPONSE TO COMMENTS/FINAL EIR

Following the public review period, a Final EIR will be prepared. The Final EIR will respond to written comments received during the public review period. Public agencies will be provided with copies of the responses to their comments at least 10 days prior to EIR certification.

#### CERTIFICATION OF THE EIR/PROJECT CONSIDERATION

As the final decision maker regarding the COSE Consolidation and Update, the County Board of Supervisors (Board) will review and consider the Final EIR. If the Board finds that the Final EIR is "adequate and complete," the Board will certify the Final EIR.

Upon review and consideration of the Final EIR, the County of San Luis Obispo Board of Supervisors may take action to adopt, revise, or reject the COSE Consolidation and Update. A decision to approve the project would be accompanied by written findings in accordance with State CEQA Guidelines Section 15091 and Section 15093. A Mitigation Monitoring and Reporting Program (MMRP), as described below, would also be adopted for mitigation measures that have been incorporated into or imposed upon the project to reduce or avoid significant effects on the environment. This MMRP will be designed to ensure that these measures are carried out during Conservation and Open Space Element implementation.

## **MITIGATION MONITORING**

Public Resources Code Section 21081.6(a) requires lead agencies to adopt a mitigation monitoring and reporting program to describe measures that have been adopted or made a condition of project approval in order to mitigate or avoid significant effects on the environment. The specific "reporting or monitoring" program required by CEQA is included as Appendix B of this document and mitigation measures have been clearly identified and presented in language that will facilitate establishment of the monitoring and reporting program.

## **1.7 COMMENTS RECEIVED ON THE NOTICE OF PREPARATION**

The County received thirteen (13) comment letters on the Notice of Preparation for the COSE Consolidation and Update DEIR from the following local agencies:

- Air Pollution Control District of San Luis Obispo County
- California Department of Transportation- District 5
- California Department of Parks and Recreation, Oceano Dunes Division
- City of Paso Robles
- City of Pismo Beach
- County of San Luis Obispo Department of General Services- Parks Division
- County of San Luis Obispo Public Works Department
- Halcyon Community Association
- Los Osos Community Advisory Council
- Native American Heritage Commission
- Nipomo Community Services District
- Temple of the People
- Templeton Fire Department

The NOP and copies of the comment letters listed above are included in this EIR as **Appendix A**.